



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

SFUND RECORDS CTR
1110-00158

Certified Mail: Z 331 742 269
Return Receipt Requested

November 3, 1999

Francine H. Rippey, President
Fred R. Rippey, Inc.
12471 E. Washington Boulevard
Whittier, California 90602

SFUND RECORDS CTR
88072617

Re: Request for Information Regarding Fred R. Rippey, Inc.,
formerly operating at 12504 and 12512 Whittier Boulevard, Whittier, California

Dear Ms. Rippey:

The United States Environmental Protection Agency ("EPA" or "Agency") is spending public funds to investigate and respond to the release or threatened release of hazardous substances into the soil and groundwater at the Omega Chemical Superfund Site (the Site). As part of its investigation EPA is seeking to determine the nature and extent of contamination at the Site, to assess the effects of contamination on the environment and public health, and to identify activities and parties that have or may have contributed to contamination at the Site.

EPA believes that you have information which will assist the Agency in its investigation of the Site. Evidence from groundwater investigations to date suggests that operations at the Site have contributed to groundwater contamination through the use of volatile organic compounds (VOCs); including but not limited to, perchloroethylene (PCE), freons, trichloroethylene (TCE), and methylene chloride. Answers to the questions in Attachment B will provide us some of the information we need for this Site investigation.

Under Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. §9604(e), EPA has broad information gathering authority which allows EPA to require persons to furnish information or documents relating to:

- (A) The identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility or transported to a vessel or facility;

- (B) The nature and extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility; and
- (C) Information relating to the ability of a person to pay for or perform a cleanup.

Please note that your compliance with this Information Request is mandatory. Failure to respond fully and truthfully may result in enforcement action by EPA pursuant to Section 104(e)(5) of CERCLA, 42 U.S.C. §9604(e)(5). This statutory provision authorizes EPA to seek the imposition of penalties of up to \$25,000 per day of noncompliance. Please be further advised that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. §1001. The information you provide may be used by EPA in administrative, civil or criminal proceedings. We encourage you to give this matter your immediate attention and require that you provide a complete and truthful response to this Information Request and attached questions (Attachment B) within thirty (30) calendar days of your receipt of this letter.

Some of the information EPA is requesting may be considered by you to be confidential. Please be aware that you may not withhold the information upon that basis. If you wish EPA to treat the information confidentially, you must advise EPA of that fact by following the procedures outlined in Enclosure A, including the requirement for supporting your claim for confidentiality.

If you have information about other parties who may have information which may assist the Agency in its investigation of the Site or may be responsible for the contamination at the Site, that information should be submitted within the time frame noted above.

This request for information is not subject to review by the Office of Management and Budget ("OMB") under the Paperwork Reduction Act because it is not an "information collection request" within the meaning of 44 U.S.C. §§3502(4) and (11), 3507, 3512, and 3518. Furthermore, it is exempt from OMB review under the Paperwork Reduction Act because it is directed to fewer than ten persons. 44 U.S.C. §3502(4), (11); 5 C.F.R. §1320.5(a).

Instructions on how to respond to the questions are set forth in Attachment A. Please return your written response to this request for information, signed by you or a duly authorized official of your company, within thirty (30) calendar days of receipt of this letter. Please direct your response to:

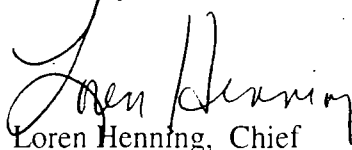
Craig Cooper
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street, SFD7-4
San Francisco, California 94105

Your response should include the appropriate name, address, and telephone number of the person to whom EPA should direct future correspondence in regard to this matter on behalf of you or Fred R. Rippy, Inc.

If you have questions regarding this information request or if you have questions about the history of the Site, the nature of the environmental conditions at the Site, or the status of cleanup activities, please contact Craig Cooper at (415) 744-2370. Please direct any legal questions to David Rabbino at (415) 744-1336.

We appreciate and look forward to your prompt response to this information request.

Sincerely,

A handwritten signature in black ink, appearing to read "Loren Henning". The signature is fluid and cursive, with the first name "Loren" and last name "Henning" clearly distinguishable.

Loren Henning, Chief
HI, NV, and CA Cleanup Section
Site Cleanup Branch

Enclosures (2)

ATTACHMENT A

Instructions

1. Answer Every Question Completely. A separate response must be made to each of the questions set forth in this Information Request. For each question contained in this letter, if information responsive to this Information Request is not in your possession, custody, or control, please identify the person(s) from whom such information may be obtained.
2. Number Each Answer. When answering the questions in Enclosure B, please precede each answer with the corresponding number of the question and subpart to which it responds.
3. Number Each Document. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the question to which it corresponds.
4. Provide the Best Information Available. Provide responses to the best of your ability, even if the information sought was never put down in writing or if the written documents are no longer available. You should seek out responsive information from current and former employees/agents. Submission of cursory responses when other responsive information is available will be considered non-compliance with this Information Request.
5. Identify Sources of Answer. For each question, identify (see Definitions) all of the persons and documents that you relied on in producing your answer.
6. Continuing Obligation to Provide/Correct Information. If additional information or documents responsive to this Request become known or available to you after you respond to this Request, EPA hereby requests directs, pursuant to CERCLA Section 104(e), that you supplement your response to EPA.
7. Scope of Request. The scope of this request includes all information and documents independently developed or obtained by research on the part of your company, its attorneys, consultants or any of their agents, consultants or employees.
8. Confidential Information. The information requested herein must be provided even though you may contend that it includes confidential information or trade secrets. You may assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. §§9604(e)(7)(E) and (F), and Section 3007(b) of RCRA, 42 U.S.C. §6927(b), and 40 C.F.R. §2.203(b). If you make a claim of confidentiality for any of the information you submit to EPA, you must prove that claim. For each document or response you claim confidential, you must separately address the following points:

- a. clearly identify the portions of the information alleged to be entitled to confidential treatment;
- b. the period of time for which confidential treatment is desired (e.g., until a certain date, until the occurrence of a specific event, or permanently);
- c. measures taken by you to guard against the undesired disclosure of the information to others;
- d. the extent to which the information has been disclosed to others, and the precautions taken in connection therewith;
- e. pertinent confidentiality determinations, if any, by EPA or other federal agencies, and a copy of any such determinations or reference to them, if available; and
- f. whether you assert that disclosure of the information would likely result in substantial harmful effects on your business' competitive position, and if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects. To make a confidentiality claim, please stamp, or type, "confidential" on all confidential responses and any related confidential documents. Confidential portions of otherwise nonconfidential documents should be clearly identified. You should indicate a date, if any, after which the information need no longer be treated as confidential. Please submit your response so that all nonconfidential information, including any redacted versions of documents are in one envelope and all materials for which you desire confidential treatment are in another envelope.

All confidentiality claims are subject to EPA verification. It is important that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, and that it is not and has not been obtainable by legitimate means without your consent. Information covered by such claim will be disclosed by EPA only to the extent permitted by the regulations set forth at 40 C.F.R. Part 2, and CERCLA Section 104(e). If no such claim accompanies the information when it is received by EPA, then it may be made available to the public by EPA without further notice to you.

9. Disclosure to EPA's Authorized Representatives. Information which you submit in response to this Information Request may be disclosed by EPA to authorized representatives of the United States, pursuant to 40.C.F.R. 2.310(h), even if you assert that all or part of it is confidential business information. The authorized representatives of EPA to which EPA may disclose information contained in your response are as follows:

- a. Armstrong Data Services
EPA Contract Number 68-W5-0024
- b. Department of Toxic Substances Control/California
Environmental Protection Agency
- c. Regional Water Quality Control Board, Los Angeles Office
- d. CH2M Hill Incorporated
EPA Contract Number 68-W-98-225

Any subsequent additions or changes in EPA contractors who may have access to your response to this Information Request will be published in the Federal Register.

This information may be made available to these authorized representatives of EPA for any of the following reasons: to assist with document handling, inventory, and indexing; to assist with document review and analysis for verification of completeness; to provide expert technical review of the contents of the response; or to assist the State of California in pursuing its own cost recovery action. Pursuant to 40 C.F.R. §2.310(h), you may submit comments on EPA's disclosure of any confidential information contained in your response by EPA to its authorized representatives along with the response itself, within the thirty (30) calendar day period in which the response is due.

10. Objections to Questions. If you have objections to some or all of the questions contained in the Information Request letter, you are still required to respond to each of the questions.

DEFINITIONS

The following definitions shall apply to the following words as they appear in this Information Request.

1. The term "you" shall mean the addressee of this Request, or any other individual that controlled, or had the authority to control the operations at Fred R. Rippey, Inc., formerly located at 12504 and 12512 Whittier Boulevard, Whittier, California.
2. The term "person" shall have the same definition as in Section 101(21) of CERCLA, 42 U.S.C. § 9601(21), and includes an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, United States Government, State, municipality, commission, political subdivision of a State or any interstate body.
3. The term "hazardous substance" shall have the same definition as that contained in Section 101(14) of CERCLA, 42 U.S.C. § 9601(14), and includes any mixtures of such hazardous substances with any non-hazardous substances, including petroleum products.
4. The term "identify" means, with respect to a document, to provide its customary business description, its date, its number (e.g., invoice or purchase order number), the identity of the author, addressee and/or recipient and the substance or the subject matter.
5. The term "release" has the same definition as that contained in Section 101(22) of CERCLA, 42 U.S.C. § 9601(22) and includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into the environment, including the abandonment or discharging of barrels, containers and other closed receptacles containing any hazardous substance or pollutant or contaminant.
6. The terms "document" and "documents" shall mean any object that records, stores or presents information and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including by way of illustration and not by way of limitation, any invoice, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intraoffice communications, photostat or other copy of documents, microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc or disc pack, optical disk, any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc or disc pack, optical disk, tape or other type of memory and together with printouts of such punch card, disc or disc pack, optical disk, tape or other type of memory) and (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like

on it, (c) drafts, (d) attachments to or enclosures with any document and (e) every document referred to in any other document.

7. The terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.
8. All terms not defined herein shall have their ordinary meaning unless such terms are defined in CERCLA, in which case the statutory definitions shall apply.

ATTACHMENT B

Questions

1. State the full name, address, telephone number, position or positions held by and tenure of the individual(s) answering any of these questions on behalf of Fred R. Rippy, Inc., formerly located at 12504 and 12512 Whittier Boulevard, Whittier, California; herein referred to as the "facility".
2. Provide a copy of the incorporation records for Fred R. Rippy, Inc., and all amendments, merger agreements, and Statement of Officers filed with the Secretary of State.
3. Identify any other persons or entities, including corporations, that concurrently with you exercised actual control over, or who held significant authority to control, activities at the facility.
 - a. The dates of their operation and or control;
 - b. Describe the title of the individual, or the name of the corporation, and describe their activities or involvement at the facility.
 - c. Did this concurrent "operator" have any authority to control how hazardous substances, pollutants, or contaminants were used during the period of your ownership or operation of the facility?
4. Identify any corporate affiliations of Fred R. Rippy, Inc., past and present, specifying the dates of any such affiliations, and provide any details relating to stock ownership in Fred R. Rippy, Inc., held by any affiliated corporate entity, including date of purchase, percentage, number of shares, and when and how those shares were disposed.
5. State the dates during which Fred R. Rippy, Inc., owned the property located at 12504 and 12512 Whittier Boulevard, Whittier, California, and provide copies of all documents evidencing or relating to the ownership of this property, including but not limited to title reports, deeds, purchase agreements, articles of incorporation, contracts or leases. If not revealed in the documents, identify from whom you purchased the property, and to whom you sold it, and when.
6. What kind of business did Fred R. Rippy conduct at the facility? Identify the number of employees employed to operate the facility. Provide the current or last known addresses of all persons who were employed by the owner or operator of the facility.

7. Provide a scaled map of the facility for the time frame in which you were involved with the facility, which includes the locations of all buildings and features, past and present, including:
- a. The location of all waste disposal areas, dumps, leach fields, burn pits, and any other disposal locations, and identify the kinds of wastes (e.g. scrap metal, construction debris, motor oil, solvents, waste water);
 - b. Surface structures (e.g., buildings, maintenance shops, machine shops, degreasers, liquid waste tanks, fuel tanks);
 - c. Subsurface structures (e.g., underground tanks, sumps, pits, clarifiers, etc.);
 - d. Ground water wells and dry wells. Include the date of installation, the date of abandonment of any wells, drilling logs, and well permits;
 - e. Storm water drainage systems, sanitary sewer systems, including septic tank(s) and subsurface disposal field(s). Include copies of related permits;
 - f. Any and all additions, demolitions, or changes of any kind to physical structures on, under, or about the facility, or to the property itself (e.g., excavation work) they may have occurred during your operation or involvement with the facility, and state the dates on which such changes occurred, and submit as many maps as necessary to represent these changes.
 - g. If the nature of the operations, or the location of equipment changed over this period, indicate on as many maps as necessary those changes in location for the operations and equipment.
8. Describe the type of fence and condition of the fenceline, and/or property line, that existed between Fred R. Rippey's property and the property to the southwest, that belonged to, or operated under the name, "New England Lead Burning, Co".
- a. Was there a fence between the two properties? What other physical barriers existed between the two properties.
 - b. What was the general direction of surface water flow between the two properties?
 - c. Was your property paved or unpaved along this border?

9. If operations changed over time, or if Fred R. Rippy, Inc., leased the property to other businesses, explain all operations that occurred at the facility between the earliest date of your involvement with the facility and the present. Include in this description the dates of operation, product or products made, a description of the production process or processes, and chemicals transported, stored and used. Provide in addition:
- a. A list of all chemicals or raw materials used in the production process and maintenance activities at this facility, and chemicals that were stored, identifying the chemical composition and the quantities used.
 - b. Specifically identify the chemicals that were stored in above ground and subsurface storage tanks, identify the tank, and specify the dates in which the tanks were used.
 - c. Describe the disposition of all finished products and wastes from production processes and maintenance activities at this facility, including:
 - 1) the location of disposal, whether on the premises or transported to another location;
 - 2) any treatment such as burning, evaporation, or chemical pretreatment;
 - 3) the quantities and types of wastes disposed;
 - 4) identify the types of chemicals that accumulated in sumps and pits; and identify the dates, volume, and nature of materials that have been removed from sumps and pits over time;
 - 5) describe the management and/or containment of surface water run-off from the facility, specifically addressing the southwest property line along the concrete wall;
 - d. The location of any spills or leaks that have occurred at the site, and the identify the substance that spilled or leaked.
 - e. Identify the equipment that was at the property when you acquired it and describe its condition. Identify each piece of equipment used to conduct your operations at the facility, explain the use of each. If not already done, identify the location of the equipment on a map of the facility. In addition, identify equipment that may have been brought to your property by businesses to whom you may have leased the property.

10. Provide all existing technical or analytical information about the facility, including but not limited to, data and documents related to soil, water (ground and surface), geology, hydrogeology, or air quality on and about the facility. Include with this information copies of all inspection reports relating to the evaluation of the tanks, sumps, pits, clarifiers, or chemical storage.
11. Describe your use for the 500 gallon underground storage tank that was removed from the property in 1987 by Leighton and Associates. Describe the reason for having it removed from your property.
12. For any chemicals or substances which were transported to the facility which contained semi-volatile organic compounds, volatile organic compounds (VOC's), including but not limited to, tetrachloroethylene (PCE), 1,1,1-trichloroethane (TCA), trichloroethylene (TCE), Freon, methylene chloride, chloroform, acetone, trichlorofluoromethane, 1,1 DCE, 1,2 DCE, and 1,2, DCA.
 - a. The trade or brand name, chemical composition, and quantity of each chemical, or substance, that was transported to your facility. Provide sales records, receipts, or any other records documenting the purchase or transportation of these substances to the facility for the years that your operated or were involved at this facility, to the present date;
 - b. The location(s) where each chemical or substance was used and stored;
 - c. The purpose or use of each chemical or substance (e.g. parts cleaning, spot cleaning, degreasing, recycling, etc.).
13. Provide a complete list of customers from whom you received waste for either disposal or recycling, for the period of time that you operated the facility. If this information can be retrieved from other documents, provide those documents instead of preparing a list; but only if those documents fully represent the list of customers that utilized the services of this facility. In addition to the names of the customer, and if not represented in the documents submitted in response to Question 12, provide documents that represent the volume of wastes this facility received from each customer.
14. Identify all property insurance policies held by you from the time you assumed ownership of the Site property until the present. In identifying such policies, state:
 - a. The name and address of each insurer and of the insured;
 - b. The amount of coverage under each policy;
 - c. The commencement and expiration dates for each policy;

- d. Whether or not the policy contains (or contained) a "pollution exclusion" clause; and
- e. Whether or not the policy covers (or covered) sudden, nonsudden, or both types of accidents.

In lieu of providing the information requested in subparts a. through e. of this Question, you may submit complete copies of all insurance policies that may cover the release or threatened release of hazardous materials.

- 15. If you are withholding any information or documents that are responsive to this request, identify the information or document and state your basis for its withholding.
- 16. If you are aware of information responsive to this request that is not in your possession, custody, or control, identify the person or entity from whom such information may be obtained, including their name, last known or current address, telephone number, and affiliation with your company or the property. Identify specifically the types of documents in their possession.

Z 331 742 269

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

PS Form 3800, April 1995

Sent to Fred R. Rippy, Inc	
Street & Number 12471 E. Washington	
Post Office, State, & ZIP Code Whittier CA 90602	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

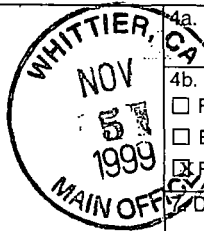
- ☐ Complete items 1 and/or 2 for additional services. Complete items 3, 4a, and 4b.
- ☐ Print your name and address on the reverse of this form so that we can return this card to you.
- ☐ Attach this form to the front of the mailpiece, or on the back if space does not permit.
- ☐ Write "Return Receipt Requested" on the mailpiece below the article number.
- ☐ The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. ☐ Addressee's Address
- 2. ☐ Restricted Delivery

3. Article Addressed to:

Francine Rippy
Fred R. Rippy, Inc.
12471 E. Washington
Whittier, CA 90602



4a. Article Number

Z 331 742 269

4b. Service Type

- ☐ Registered ☒ Certified
- ☐ Express Mail ☐ Insured
- ☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

11/8/99

5. Received By: (Print Name)

6. Signature (Addressee or Agent)

[Handwritten Signature]

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

102595-99-B-0223

Domestic Return Receipt

Thank you for using Return Receipt Service.